

Matthew K. Bishop
Western Environmental Law Center
103 Reeder's Alley
Helena, Montana 59601
406-324-8011
bishop@westernlaw.org

Michael A. Kauffman
DRAKE LAW FIRM, P.C.
111 North Last Chance Gulch
Suite 3J, Arcade Building
Helena, MT 59601
406-502-1668
michael@drakemt.com

Counsel for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FRIENDS OF THE CRAZY
MOUNTAINS, et al.,

Plaintiffs,

vs.

MARY ERICKSON, in her capacity
as Forest Supervisor for the Custer-
Gallatin National Forest, et al.,

Federal-Defendants.

19-CV-00066-SPW-TJC

MOTION FOR SUMMARY
JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Friends of the Crazy Mountains *et al.* (Plaintiffs) respectfully submit this motion for summary judgment.

Plaintiffs challenge Federal-Defendants' (the Forest Service's) approval of the Porcupine Ibex Trail project (Ibex project) on the west-side of the Crazy Mountains. The Forest Service's decision to authorize the Ibex project is arbitrary, capricious, an abuse of discretion and otherwise not in accordance with Federal Land Policy Management Act (FLPMA), National Environmental Policy Act (NEPA), or the National Forest Management Act (NFMA). 5 U.S.C. § 706 (2)(A). Plaintiffs also challenge the Forest Service's failure to protect public use and access on the East Trunk and Sweet Grass trails on the east-side of the Crazy Mountains, as required by NFMA and the Forest Service's own regulations, travel plan, and direction and policy. This failure qualifies as agency action unlawfully withheld or unreasonably delayed. 5 U.S.C. § 706 (1).

The reasons and authority supporting this motion and the specific relief requested are set forth in the accompanying memorandum of law and statement of undisputed facts.

Respectfully submitted this 23rd day of April, 2021.

/s/ Matthew K. Bishop
Matthew K. Bishop

/s/ Michael Kauffman
Michael Kauffman

Counsel for Plaintiffs